

REMARKS/ARGUMENTS

Claim Rejections – 35 USC 112

Examiner has rejected Claim 15 under 35 USC 112. Specifically, Examiner states, Claim 15 recites: “a solid microactuator not interrupted by break or opening connected to said flexure.” However, there is no written description of this feature found in the specification and the drawings 3, 6, and 7-14 show that there is a break between the flexure and the solid microactuator. Therefore, a solid microactuator is interrupted by break or opening as connected to said flexure. The newly introduced limitation is considered as new matter.

In response, Applicant has amended Claim 15 so that it now includes the following limitation: “... a solid microactuator not interrupted by break or opening ~~connected to said flexure...~~”. Claim 15 is now limited in a fashion similar to that of Claim 29. Examiner has stated that Claim 29 is allowed. The reason Examiner gives for allowance of Claim 29 is that the prior art “... fails to show that the microactuator is not interrupted by break or opening.” Claim 15 is similarly limited and should likewise be allowable.

Allowable Subject Matter

Examiner has stated that Claims 2, 3, 5 – 7, 23, 26, 29 and 31 are allowable. Regarding Claim 15, Applicant has amended Claim 15 as described above. Since this limitation combined with the other limitations of Claim 15 are not shown in the prior art, Claim 15 should now be allowable. Claims 20 – 22 and 25 depend on Claim 15 and should likewise also be allowable.

CONCLUSION

Thus, for all the reasons given above, this application, as the claims are presently limited, define a novel, patentable, and truly valuable invention. Hence allowance of all of the outstanding claims of this application is respectfully submitted to be proper and is respectfully solicited.

Respectfully Submitted,



John R. Ross, III
Ross Patent Law Office
Regis. No. 43060
PO Box 2138
Del Mar, CA 92014
Phone: 858-755-3122
Fax: 858-755-3122